



June 30, 2025

Hon. Gary Stein
United States Magistrate Judge
500 Pearl St.
New York, NY 10007

Re: *Prince v. Jason D. Boroff & Assoc., PLLC, et al.*, No. 24 Civ. 2706 (GS)

Dear Judge Stein:

We write jointly on behalf of Plaintiff Maritza Prince, Defendants Process Server Plus, Inc., Enrique Diaz, and Emmanuel Lanzot, (collectively, “Process Server Defendants”), and Defendant Jason D. Boroff & Associates, PLLC (“the Boroff Firm”) as directed by the Court’s Order, ECF No. 82, to update the court on the status of litigation.

Plaintiff and the Boroff Firm’s Joint Statement: Plaintiff recently submitted her motion for preliminary approval and provisional class certification, and the Boroff Firm recently submitted its motion for approval of the proposed bar order. *See* ECF Nos. 84-89.

Plaintiff’s Statement Regarding Process Server Defendants:

The Process Server Defendants’ Failure to Respond to Plaintiff’s Discovery Requests:

Plaintiff served Requests for Production and Interrogatories on each of the three Process Server Defendants on May 5, 2025. The Process Server Defendants did not respond, object, nor make any production by their June 4, 2025 due date. The parties’ counsel met and conferred on June 10 regarding Defendants’ failure to respond. Following the parties’ June 13, 2025 joint status letter to the Court, the Court extended the Process Server Defendants’ time to respond to Plaintiff’s discovery requests to Friday, June 27, 2025. ECF No. 82. The parties met and conferred again on June 17 to discuss the documents sought by Plaintiff. During that call and in emails on June 26, Plaintiff’s counsel repeated the Process Server Defendants’ obligation to serve responses and a production by the Court’s deadline. On June 26, the Process Server Defendants’ counsel responded only that his clients “were working on getting everything together.”

The Process Server Defendants did not serve any discovery response or production by the Court’s June 27 deadline. They have not provided any explanation for this failure nor any proposed date for a response. This conduct marks a pattern of continued failures and delays on the part of the Process Server Defendants, materially delaying this litigation and causing harm to Plaintiff. For example, Process Server Defendants served their initial disclosures nearly one month late, only after Plaintiff’s counsel, a 501(c)(3) nonprofit organization, used its resources to contact the Process Server Defendants at least *seven* times concerning the delay. *See* ECF No. 80. Plaintiff’s discovery requests are straightforward, primarily seeking records and information that the Process Server Defendants are required by law to maintain. Plaintiff understands from

her meet-and-confer on June 17 regarding the production failure that at least some responsive records likely exist, but the Process Server Defendants have not identified which ones nor when they will be produced. Without responses to Plaintiff's requests, this litigation cannot advance. Accordingly, Plaintiff intends to move to compel imminently and seek sanctions if appropriate.

Plaintiff's Response to the Process Server Defendants' Discovery Requests:

The Process Server Defendants served requests for production and interrogatories on Plaintiff on May 21, 2025. Plaintiff timely responded and objected to these requests and, on June 26, 2025, served a production of documents consisting of 985 pages.

Process Server Defendants' Statement:

I spoke with the Process Server Defendant's on June 25, 2025 about the production of the documents requested. The individual defendants informed me they do not keep the records and documentation sought; however, these documents are kept by the Process Server defendant. I spoke with the process server defendant this afternoon and they informed me that they have the documents on a flash drive and the drive will be sent to the plaintiff.

Thank you for your consideration.

Respectfully submitted,

/s/ Danielle Tarantolo
Danielle Tarantolo
Andrea Ashburn
Counsel for Plaintiff

/s/ Daniel Tanon, Esq.
Daniel Tanon, Esq.
Attorney for Process Server Defendants